

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

**LINDA M. LESLIE, Regional Director of
the Third Region of the National Labor
Relations Board,
for and on behalf of the
NATIONAL LABOR RELATIONS
BOARD,**

Petitioner,

vs.

STARBUCKS CORPORATION,

Respondent.

CIVIL ACTION NO. 1:22-cv-00478-JLS

DECLARATION OF JACQUELINE PHIPPS POLITO, ESQ.

I, Jacqueline Phipps Polito, Esq., hereby declare and state as follows:

1. I am a Shareholder with the firm Littler Mendelson, P.C., attorneys for Respondent Starbucks Corporation (“Respondent”).

2. This Declaration is submitted in opposition to Petitioner’s Motion to Shorten Time and for an Expedited Hearing (Doc. 2) and Petitioner’s Motion to Determine for Injunction Petition on Basis of Affidavits and Documentary Evidence (Doc. 3). This Declaration is further submitted in support of Respondent’s Cross-Motion to Stay Proceedings pending the completion of the administrative hearing and/or in the alternative, Motion for Expedited Discovery and an Evidentiary hearing as more fully set forth in our Memorandum of Law.

3. This action was commenced by the filing of a Complaint by Petitioner on June 21, 2022. (Doc. 1)

4. Respondent entered their Notice of Appearance on June 23, 2022. (Doc. 5).

5. As explained more fully in the accompanying Memorandum of Law, Petitioner's Motions should be denied in their entirety and Respondent's Motion for a Stay of this action should be granted pending the outcome of the administrative hearing which is scheduled to proceed on July 11, 2022. If a stay is not granted, Respondent will be left with litigating the same issues in two different forums which is an ineffective use of Judicial time and unduly burdensome on Respondent.

I declare, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, that the foregoing is true and correct.

Executed this 24th day of June, 2022

/s/ Jacqueline Phipps Polito

Jacqueline Phipps Polito

4855-8573-8022